



UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte CHINNA PRUDVI and DEREK BACHAND

Application No. 09/212,291

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on April 1, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below:

Appellants filed an Information Disclosure Statement (IDS) on April 30, 2001 (Paper No. 13). It is not clear from the record whether the examiner considered the statement submitted or whether the examiner notified appellants of why their submission did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98.

In addition, appellants filed the following amendments, which were not physically entered by the examiner:

- Amendment filed on February 25, 2002 (Paper No. 17)
- Amendment filed on November 26, 2002 (Paper No. 20)

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Although the examiner states on page 2 of the Final rejection mailed on July 2, 2002 (Paper No. 18) and page 1 of the Examiner's Answer mailed on February 10, 2003 (Paper No. 22) that the aforementioned amendments have been entered, a review of the file reveals that they have not been physically entered.

Accordingly, it is

ORDERED that the application is returned to the examiner to resolve the following issues:

- (1) to consider the IDS filed April 30, 2001 (Paper No. 13),
- (2) to notify appellants in writing as to entry of such IDS,
- (3) to enter the amendments filed on February 25, 2002 (Paper No. 17) and November 26, 2002 (Paper No. 20);
- (4) to notify appellants in writing as to the entry of such amendments, and
- (5) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

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